

# DESENA & SWEENEY, LLP

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MEMO ENDORSED

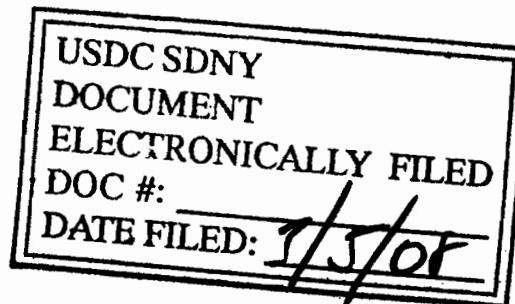
March 4, 2008

Via Facsimile (212) 805-0436

United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Attn: Hon. Gerald Lynch

RE: Miller v Muto  
Civil Index No: 07 CV 9591  
Date of Loss: 4/25/07

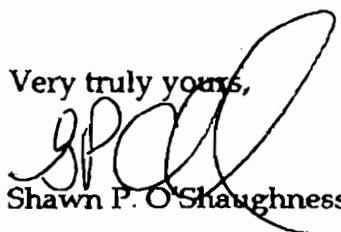


Hon Lynch:

This office represents the defendants in the above stated action. This afternoon I was able to speak with my adversary regarding the outstanding discovery. Additionally, the parties conferred and respectfully request that the conference be changed from 4:30 p.m. on March 14, 2008 to 10:30 a.m. on March 21, 2008. The reason for the change is that the undersigned is scheduled to be engaged in Supreme Court, Nassau County, for jury selection on March 14, 2008. ] \*

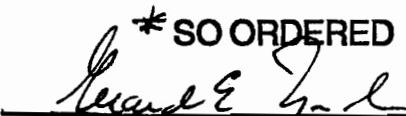
Thank you.

Very truly yours,

  
Shawn P. O'Shaughnessy, Esq. (SO-6081)

SPO:sid

CC: 718-405-2500 via Facsimile to Della, Mura & Ciacci, LLP

\* SO ORDERED  
  
GERARD E. LYNCH, U.S.D.J.  
3/4/08